

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1702

By: Hamilton

AS INTRODUCED

An Act relating to liens; amending 42 O.S. 2001, Section 142, which relates to lien statements; adding certain report requirement; providing for removal of certain statements; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 42 O.S. 2001, Section 142, is amended to read as follows:

Section 142. A. Any person claiming a lien as aforesaid shall file in the office of the county clerk of the county in which the land is situated a statement setting forth the amount claimed and the items thereof as nearly as practicable, the names of the owner, the contractor, the claimant, and a legal description of the property subject to the lien, verified by affidavit. Affixed to the statement shall be a report from a home inspector licensed pursuant to the Home Inspection Licensing Act that sets forth the name and license number of the inspector and states that the work has been satisfactorily completed. Such statement shall be filed within four (4) months after the date upon which material or equipment used on said land was last furnished or labor last performed under contract as aforesaid; and if the claim be for the planting of any ~~trees~~ tree, vines vine, plants plant, or hedge, such statement shall be filed within four (4) months from such planting. Immediately upon the receipt of such statement the county clerk shall enter a record of the same against the tract index and in a book kept for that purpose, to be called the mechanics' lien journal, which shall be

ruled off into separate columns, with headings as follows: "When filed", "Name of owner", "Name of claimant", "Amount claimed", "Legal description of property", and "Remarks", and the clerk shall make the proper entry in each column.

B. Any statement not complying with the requirements set forth in this section or that contains false information shall be removed from the records by the county clerk.

SECTION 2. This act shall become effective November 1, 2005.

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